

REMARKS

Claims 1-20 are pending in the present application. Claims 1-20 were rejected.

Claims 1-20 stand rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 6,718,298 B1 ("Judge") in view of U.S. Patent No. 6,671,353 B1 ("Goh"). Applicant respectfully traverses the rejection for at least the reasons as set forth below.

In addition to the arguments and evidence of patentability already set forth in the prosecution history of the present application, in order expedite prosecution of the present application, Applicant has amended the claims by adding, removing and/or clarifying elements as set forth in the claims.

Amended independent claim 1 recites, for example, "recording a set of data frames according to the chosen recording mode, the recorded set of data frames comprising a downlink voice signal, a downlink video signal, an uplink voice signal and an uplink video signal in which the downlink video signal is recorded at the mobile set when the downlink voice signal is determined to have voice activity and in which the uplink video signal is recorded at the mobile set when the uplink voice signal is determined to have voice activity".

Amended independent claim 3 recites, for example, "providing a display indicating a data structure of recorded conversations, the recorded conversations comprising uplink data frames transmitted from the mobile set to a second device during a phone call and downlink data frames transmitted, from the second device to the mobile set during the phone call, wherein the uplink data frames comprise uplink voice signal frames and uplink video signal frames, wherein the downlink data frames comprise downlink voice signal frames and downlink video signal frames, wherein the uplink data frames and the downlink data frames are selectively recorded based on data content analysis, performed by the mobile set, of each uplink data frame and each downlink data frame, wherein the uplink video signal frames are recorded when the uplink voice signal frames are determined to have voice activity, wherein the downlink video signal frames are recorded when the downlink voice signal frames are determined to have voice activity".

Amended independent claim 4 recites, for example, "providing a display indicating data structures representing recorded conversations, the recorded conversations comprising uplink

data frames transmitted from the mobile set to a second mobile set during a phone call and downlink data frames transmitted from the second device to the mobile set during the phone call, wherein the uplink data frames comprise uplink voice signal frames and uplink video signal frames, wherein the downlink data frames comprise downlink voice signal frames and downlink video signal frames, wherein the uplink data frames and the downlink data frames are selectively recorded based on data content analysis, performed by the mobile set, of each uplink data frame and each downlink data frame, wherein the uplink video signal frames are recorded when the uplink voice signal frames are determined to have voice activity, wherein the downlink video signal frames are recorded when the downlink voice signal frames are determined to have voice activity”.

It is respectfully submitted that neither Judge nor Goh, individually or combined, teaches at these elements added via amendment to independent claims 1, 3 and 4.

For at least the above reasons, it is respectfully submitted that the obviousness rejection cannot be maintained.

It is respectfully requested that the rejection under 35 U.S.C. § 103(a) be withdrawn with respect to claims 1-20.

It is believed that claims 1-20 are in condition for allowance.

Applicant does not necessarily agree or disagree with the Examiner's characterization of the documents made of record, either alone or in combination, or the Examiner's characterization of recited claim elements. Furthermore, Applicant respectfully reserves the right to argue the characterization of the documents of record, either alone or in combination, to argue what is allegedly well known, allegedly obvious or allegedly disclosed, or the characterization of the recited claim elements should that need arise in the future.

With respect to the present application, Applicant hereby rescinds any disclaimer of claim scope made in the parent application or any predecessor or related application. The Examiner is advised that any previous disclaimer of claim scope, if any, and the alleged prior art that it was made to allegedly avoid, may need to be revisited. Nor should a disclaimer of claim scope, if any, in the present application be read back into any predecessor or related application.

U.S. Application No. 10/651,428, filed August 29, 2003
Attorney Docket No. 17405US04
Amendment dated November 1, 2007
In Response to Office Action mailed June 1, 2007

In view of at least the foregoing, it is respectfully submitted that the present application is in condition for allowance. Should anything remain in order to place the present application in condition for allowance, the Examiner is kindly invited to contact the undersigned at the below-listed telephone number.

The Commissioner is hereby authorized to charge any additional fees, to charge any fee deficiencies or to credit any overpayments to the deposit account of McAndrews, Held & Malloy, Account No. 13-0017.

Dated: November 1, 2007

Respectfully submitted,

/Michael T. Cruz/
Michael T. Cruz
Reg. No. 44,636

McAndrews, Held & Malloy, Ltd.
500 West Madison Street, 34th Floor
Chicago, Illinois 60661
Telephone: (312) 775-8084
Facsimile: (312) 775-8100